

A Regular Meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the twenty-first day of April 2004, at 7:30P.M, and there were present:

PRESENT: Stanley J. Keysa, Chairman
Rebecca Anderson, Member
John P. Gober, Member
Lawrence Korzeniewski, Member
Michael Myszka, Member
Melvin Szymanski, Member

EXCUSED: Steven Socha, Member

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Robert Labenski, Town Engineer
Jeffrey H. Simme, Building & Zoning Inspector
John M. Dudziak, Deputy Town Attorney
Mary Nowak, Recording Secretary

Meeting #6
April 21, 2004

Planning Board Members: Stanley J. Keysa, Chairman
Rebecca Anderson
John P. Gober
Lawrence Korzeniewski
Michael Myszka
Steven Socha
Melvin Szymanski

Town Board Members: Robert H. Giza
Daniel Amatura
Mark A. Montour
Ronald Ruffino, Sr.
Donna G. Stempniak

Town Engineer: Robert Labenski

Deputy Town Attorney: John M. Dudziak

Building & Zoning Inspector: Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held April 21, 2004. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Stanley J. Keysa,
Planning Board Chairman

SJK:mn

Meeting called to order by Chair Keysa at 7:30 PM. Motion was made by Michael Myszka to approve the minutes from the March 17, 2004 Planning Board Meeting. Motion was seconded by John Gober and unanimously carried.

COMMUNICATIONS:

ACTION ITEMS -

REVISED CONCEPT PLAN REVIEW - PROPOSED PATIO HOMES, SOUTH SIDE OF WILLIAM STREET WEST OF ROLLINGWOOD COURT. CONTACT PERSON: WILLIAM TUYN.

Chair Keysa told the Planning Board that he would be abstaining from the vote on this project since he represented the prior owner in the sale of the property to Homes by Natale approximately twenty years ago. He also offered to step aside as Chair, but the other members of the Planning Board unanimously asked that Chair Keysa remain as Chair for the presentation of the project.

William Tuyn, Greenman-Petersen, Peter Sorgi, Attorney, and Angelo Natale presented to the Planning Board the revised concept plan for the proposed patio homes on the 18.76 acre parcel at 5067 William St. The present zoning is A-R. The proposed zoning is MFR-3 for the purpose of 58 patio homes. This project was presented to the Planning Board with 69 patio homes at the January 7, 2004 Planning Board meeting. The Planning Board

unanimously agreed that this project was not in character with the surrounding neighborhood and recommended denial of the rezone to the Town Board. The developer requested that the resolution for denial be pulled from the Town Board agenda. No action was taken by the Town Board regarding this project. Mr. Tuyn explained to the Planning Board that Mr. Natale agreed to reduce the number of parcels to 58. The revised concept plan shows that the road has been reconfigured to loop around with no cul-de-sacs, and the homes have been clustered to lower the density and create more greenspace. Mr. Sorgi presented to the Planning Board a report comparing taxes generated from patio homes on this parcel with taxes generated from single-family homes on the same site (Com. 4-21-34) and explained the advantages of patio homes. He stated that a patio home development would be maintained by a homeowners' association. Mr. Natale provided pictures of patio homes by Homes by Natale built in other patio home developments showing different exterior styles.

DETERMINATION

Based on the information provided to the Planning Board, Melvin Szymanski made a motion to recommend denial of the rezone to the Town Board. Motion seconded by Rebecca Anderson and duly carried by a vote of 4 ayes and one nay with Chair Keysa abstaining from the vote.

Mr. Tuyn asked the Planning Board if they would take action at this time on a sketch plan for this parcel showing 40 single-family homes on a public road. After a brief discussion, Rebecca Anderson made a motion to table the consideration of the sketch plan until the Town Board has acted upon the rezone application. Motion seconded by Lawrence Korzeniewski and duly carried by a vote of 5 ayes and no nays with Chair Keysa abstaining from the vote.

SKETCH PLAN REVIEW - COUNTRY CLUB GARDENS - 67-LOT SUBDIVISION FOR SINGLE-FAMILY DWELLINGS. INTERSECTION OF BROADWAY AND PAVEMENT ROAD. PROJ. NO. 4013. CONTACT PERSON: WILLIAM TUYN

Leanne Johnson, Greenman-Petersen, Elliot Lasky, and Timothy Morgan, Forbes Homes presented to the Planning Board the sketch plan for the proposed 67-lot subdivision for single-family homes on the 33-acre parcel located at the northeast corner of Broadway and Pavement Road. Ms. Johnson told the Planning Board that the frontage along Broadway will be left as an exception and may be needed for water detention. The Planning Board noted that substantial fill will be needed at the Broadway entranceway. She also explained that this will be a sewered subdivision and that the sewers will be brought across Broadway. The sketch plan shows 67 lots with a cul-de-sac. The Highway Superintendent has been consulted regarding the cul-de-sac, and the developer is aware of the new cul-de-sac island regulations. Chair Keysa asked Deputy Town Attorney John Dudziak to check with the Town Attorney to find out if the resolution regarding islands in cul-de-sacs was passed.

by the Town Board. The plan also shows building lots along Pavement Rd. The Planning Board requested a 66-ft. right-of-way on Pavement Rd. Setbacks for the homes on Pavement Rd. will need to be adjusted and the driveways for the homes on Pavement Rd. will require turnarounds. Location of sidewalks on Pavement Rd. must be determined. Ms. Johnson stated that no homes would be built in the floodplain along the Plumb Creek tributary on this parcel. Mr. Morgan told the Planning Board that the wetlands delineation has not been completed. Proponents are to return with a revised plan.

SITE PLAN REVIEW-BUFFALO SUBURBAN SEVENTH DAY ADVENTIST CHURCH, 5580 GENESEE ST. PROPOSED 19,400 SQ. FT. ADDITION FOR GYMNASIUM WITH 5 CLASSROOMS. PROJ. NO.0604. CONTACT PERSON: MARC MUSSACHIO

Marc Mussachio, Mussachio Architects, presented to the Planning Board the site plan for the proposed 19,400 sq. ft. addition to the existing building at 5580 Genesee St. The proposed addition will be used for a gymnasium, science lab, library and classrooms. The addition will have a sprinkler system. The existing stone parking lot will be expanded for 107 additional parking spaces. All additional waste will be stored in the existing garage. Chair Keysa referred to Com. 4-21-32 from Crew Chief Terrence McCracken requesting a landscaping plan for this project. Since this project backs up to the New York State Thruway, the Planning Board recommended a berm be constructed along the northwest section of the property as protection for the building from the Thruway traffic. A drainage plan also needs to be provided for this project.

DETERMINATION

At the request of the applicant, this project has been adjourned to the May 5, 2004 Planning Board Meeting. The applicant will provide a landscaping plan to Crew Chief Terrence McCracken including a plan for a berm along the northwest section of the property. A drainage plan is also to be provided. Motion to adjourn made by Michael Myszka. Motion seconded by Lawrence Korzeniewski and unanimously carried.

SITE PLAN REVIEW-HEALTHCARE CENTER, 1818 COMO PARK BOULEVARD. PROPOSED 3,300 SQ. FT. ADDITION. PROJ. NO. 0349. CONTACT PERSON: DAVID TOSETTO

David Tosetto, Elderwood Associates, and William Spieczak, Architect, presented to the Planning Board the site plan for the proposed 3,300 sq. ft. addition to the existing healthcare facility at 1818 Como Park Blvd. The addition will consist of two wings: the left wing will be used for a 5-bed unit and the right wing will be used for single-bed private rooms. No additional parking is needed since the current parking lot is 100% over requirement.

DETERMINATION

Based on the information presented to the Planning Board, John Gober made a motion to recommend approval of the Site Plan to the Town Board. Motion seconded by Rebecca Anderson and unanimously carried.

REZONE REVIEW-ANASTASI TRUCKING & PAVING CO. REZONE FROM SGA-SAND, GRAVEL AND AGGREGATES TO GI-GENERAL INDUSTRIAL. VACANT LAND TO BE USED FOR ADMINISTRATIVE/GENERAL OFFICES, MECHANICS SHOP, OUTDOOR STORAGE.

Peter Sorgi, Attorney, and Jack Patterson, Anastasi Trucking & Paving, presented to the Planning Board the plan for the proposed rezone of approximately 9 acres at 301 Pavement Road. Present zoning is SGA, proposed zoning is GI. The proposed plan shows an office building, a mechanics shop, and a storage building. There will also be outside storage for equipment and pipes. The front parking lot will be used by 30 employees and visitors. The rear

parking area will be for employees who drive company vehicles. The wooded area at the front of the parcel will be maintained. Mr. Patterson told the Planning Board that Anastasi Trucking & Paving will be consolidating there two current locations into this one location. The trucking facility located on Pavement Rd. across the street from this parcel and the offices located on Transit Rd. will be moved to this parcel. The 25 to 30 trucks and vans that are now arriving at and departing from the current facility on Pavement Rd. will use this new facility directly across the street. All properties surrounding the proposed rezone parcel are zoned SGA. The Planning Board discussed the following six findings regarding rezoning this parcel: 1. Rezone is one of benefit to the Town and not just the applicant, 2. Rezone is in accord with the Town of Lancaster Master Plan, 3. Rezone is not inconsistent with the surrounding neighborhood, 4. Traffic patterns are likely to remain similar, 5. It is beneficial to consolidate the two current sites, 6. The Town-owned DL&W railroad line right-of-way serves as the boundary between industrial section to the north and the residential section to the south.

DETERMINATION

Based on the information presented to the Planning Board, Lawrence Korzeniewski made a motion to recommend approval of the rezone to the Town Board based on the above-mentioned six findings. Motion seconded by Melvin Szymanski and duly carried by a vote of 4 ayes and 1 nay with Member Myszkowski abstaining from the vote because the company for which he works has a contract with the applicant on another matter.

OTHER MATTERS

Parkhaven Patio Homes - Town Engineer Robert Labenski provided the Planning Board with a revised flood plain boundary map regarding the Parkhaven Patio Homes parcel on Bowen Road across from Bell Tower. This map was requested by the owner of the Parkhaven parcel. According to the revised map, a small part of the southwest corner of the Parkhaven property lies in the floodplain. The Planning Board noted the following:

1. The report has been previously filed with the Town of Lancaster,
2. The recommendations appear appropriate and proper procedure was followed,
3. Soil bores are to be completed before a decision regarding any building can be made,
4. This site, with the exception of the southwest corner, is out of the floodplain.

DETERMINATION

As a result of the findings based on the report filed with the Town of Lancaster, John Guber made a motion for a resolution recommending the MRC to reconvene to re-open SEQR regarding Parkhaven Patio Homes. Motion seconded by Lawrence Korzeniewski and unanimously carried.

Chair Keysa told the Planning Board that he received a phone call from Chuck Seiler regarding property owned by Mr. Seiler north of William St. and east of Penora St. Mr. Seiler said that Mr. Natale is interested in building patio homes on this property. Mr. Seiler wanted to know the Planning Board's feelings about this matter. Chair Keysa told Mr. Seiler that this property is surrounded by R-1 zoned property, and it is likely to stir opposition, but that he has a right to apply.

At 10:10PM John Guber made a motion to adjourn the meeting in memory of Adrian "Andy" Andrusz. Motion seconded by Michael Myszkowski and unanimously carried.